

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**LINDA THORNTON,**

**Plaintiff,**

**v.**

**FLAVOR HOUSE PRODUCTS, INC., and  
FRANKLIN D. WILLIAMS, JR.,**

**Defendants.**

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**Civil Action No.:  
1:07 cv-712-WKW**

**REPORT OF PARTIES' RULE 26 PLANNING MEETING**

1. Appearances:

Pursuant to Fed.R.Civ.P. 26(f), a meeting of the parties' representatives was held on September 24, 2007. (January 23, 2006.)

a. Appearing on behalf of plaintiff:

Temple D. Trueblood, Esq.; Wiggins Childs, Quinn & Pantazis, L.L.C.

b. Appearing on behalf of defendants, Flavor House Products, Inc.:

Anderson B. Scott, Esq.; Fisher & Phillips, LLP

c. Appearing on behalf of defendant, Franklin D. Williams, Jr.:

Russ Goodman, Esq.; Shealy, Crum & Pike, P.A..

2. Parties:

a. The plaintiff shall have until November 26, 2007, to join any additional parties.

b. The defendants shall have until December 26, 2007, to join any additional parties.

3. Pleadings:

- a. The plaintiff shall have until November 26, 2007, to amend the pleadings.
- b. The defendants shall have until December 26, 2007, to amend the pleadings.

4. Dispositive Motions:

All potentially dispositive motions must be filed no later than March 17, 2008.

5. Expert Testimony:

Unless modified by stipulation of the parties, the disclosure of expert witnesses - including a complete report under Fed.R.Civ.P. 26(a)(2)(B) from any specially retained or employed expert - are due:

- a. From the plaintiff: February 11, 2008;
- b. From the defendant: March 11, 2008.

6. Discovery Limitations and Cutoffs: The parties jointly propose to the Court the following discovery plan:

Discovery is needed on the following subjects: liability, defenses and damages.

Settlement cannot be realistically evaluated prior to substantial discovery.

- a. Unless modified by stipulation of the parties:

Depositions:

Maximum of 10 depositions by plaintiff and 10 depositions by each defendant, with a maximum time limit of 7 hours per deposition, unless extended by agreement of the parties.

Interrogatories:

Maximum of 30, including subparts, by each party, with responses due within 30 days after service.

Request for Production:

Maximum of 50, including subparts, by each party, with responses due within 30 days after service.

Request for Admission:

Maximum of 25, including subparts, by each party, with responses due within 30 days after service.

Supplementation:

Supplements under Rule 26(e), Fed.R.Civ.P., are due 30 days before the close of discovery.

b. Pre-discovery disclosure: The parties shall exchange the information required by Rule 26(a)(1) by October 15, 2007.

c. Unless modified by court order for good cause shown, all discovery must be commenced in time to be completed by May 5, 2008, 2008.

7. Pre-trial conference:

The parties request a final pretrial conference on June 2, 2008.

8. Trial:

This case should be ready for trial by July 28, 2008, and at this time is expected to take approximately 3-4 days for trial.

**Counsel note that defense counsel for defendant Flavor House Products, Inc., is presently scheduled for trials in other matters during May and June 2008 which conflict with the trial schedule of this Court. Thus, to avoid any potential conflicts or need for a continuance in the future, the parties have agreed upon the Court's next available trial date of July 28, 2008.**

9. Final lists:

Final lists of trial witnesses and exhibits under Fed.R.Civ.P. 26(a)(3) must be served and filed:

a. By the plaintiff: Thirty (30) days before the trial date.

b. By the defendant: Thirty (30) days before the trial date.

Objections are to be filed within 15 days after service of final lists of trial witnesses and evidence.

10. Scheduling Conference:

The parties do not request a scheduling conference prior to the entry of the Scheduling order.

11. Counsel for defendants have given plaintiff's counsel permission to submit hereon their electronic signatures for submission to the Court.

September 25, 2007.

Respectfully submitted,

/s/ Temple D. Trueblood  
Ann C. Robertson  
Temple D. Trueblood  
Counsel for Plaintiff

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